

Message Text

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APPROVED BY EA/K - MR. RICH
S/S -LFLEISCHER
EA - MR. GLEYSTEN

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FM SECSTATE WASHDC
TO AMEMBASSY SEOUL IMMEDIATE

C O N F I D E N T I A L STATE 010138

EXDIS

E.O. 11652:GDS

TAGS: PGOV, KS, US

SUBJECT: RESPONSE TO HOUSE ETHICS COMMITTEE CHAIRMAN

FOLLOWING LETTER DELIVERED CHAIRMAN FLYNT JANUARY 13:
BEGIN QUOTE

THE SECRETARY HAS ASKED ME TO REPLY TO YOUR THOUGHTFUL
LETTER OF JANUARY 3 EXPRESSING THE CONCERN OF THE HOUSE
COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT REGARDING THE
UNDERSTANDINGS RECENTLY REACHED WITH THE GOVERNMENT OF THE
REPUBLIC OF KOREA AND MR. TONGSUN PARK TO FACILITATE
JUSTICE DEPARTMENT INVESTIGATIONS AND PROSECUTIONS, AND
YOUR REQUEST THAT THE DEPARTMENT OF STATE ASSIST THE
COMMITTEE TO REACH A COMPARABLE ARRANGEMENT.

THE DEPARTMENT WISHES TO BE RESPONSIVE TO THE REQUEST
YOU HAVE MADE. IN ORDER TO EXPLORE IN PRACTICAL TERMS THE
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NATURE OF THE ARRANGEMENTS THE COMMITTEE REQUIRES, I PRO-
POSE THAT APPROPRIATE OFFICIALS OF THE DEPARTMENT'S BUREAU
OF EAST ASIAN AND PACIFIC AFFAIRS AND OFFICE OF THE LEGAL
ADVISOR MEET INFORMALLY WITH YOU AND OTHER MEMBERS OF THE
COMMITTEE AND STAFF AS APPROPRIATE AT YOUR CONVENIENCE
AFTER YOUR RETURN TO WASHINGTON. SUBJECT TO YOUR WISHES,

PERHAPS IT WOULD BE USEFUL ALSO TO INVITE PARTICIPATION FROM THE SENATE ETHICS COMMITTEE, WHICH HAS PARALLEL CONCERNS. INEVITABLY, IN SEEKING TO OBTAIN THE ARRANGEMENT YOU DESIRE, WE WILL NEED EVENTUALLY TO ADDRESS MANY OF THE PRACTICAL QUESTIONS WHICH HAVE ARISEN IN THE COURSE OF THE JUSTICE DEPARTMENT'S NEGOTIATIONS. THESE WOULD INCLUDE, FOR EXAMPLE, SUCH MATTERS AS TIME AND PLACE, AND NATURE OF THE PROCEEDINGS.

FOLLOWING SOME EVALUATION OF THE JUSTICE DEPARTMENT'S INTERROGATION COMMENCING THIS WEEK IN SEOUL, WE WILL BE IN A BETTER POSITION TO PERCEIVE THE NEXT STEPS AND TO DEFINE HOW WE MAY BEST BE OF ASSISTANCE. ALTHOUGH THE INTERROGATION IS EXPECTED TO PROCEED FOR A LONGER PERIOD, I UNDERSTAND THAT MR. CIVILETTI MAY RETURN TO WASHINGTON AFTER THE QUESTIONING IS UNDERWAY. ALSO, IF EITHER CONGRESSMAN CAPUTO, OR MR. SWILLINGER, THE SENATE ETHICS COMMITTEE STAFF OBSERVER, HAVE RETURNED TO WASHINGTON BY THE TIME OF THE MEETING I HAVE PROPOSED, IT WOULD NO DOUBT BE VERY USEFUL FOR THEM TO JOIN US AND SHARE THEIR FIRSTHAND EVALUATION OF THESE FIRST STEPS IN THE DESIRED ACCESS TO TONGSUN PARK.

IN NEGOTIATING THE PRESENT UNDERSTANDINGS WITH OUR ASSISTANCE, THE DEPARTMENT OF JUSTICE MOVED VERY CAREFULLY TO TRY TO COMPLETE ONE STEP AT A TIME THOSE PRACTICAL
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ARRANGEMENTS WHICH WERE POSSIBLE. THE DEPARTMENT OF JUSTICE EFFORTS HAVE BEEN DIRECTED TO GETTING A FULL, CREDIBLE AND DIRECT INTERROGATION OF TONGSUN PARK, TOGETHER WITH ASSURANCE OF HIS RETURN HERE AS A WITNESS IN TRIALS WHICH MAY RESULT FROM THE GRAND JURY DELIBERATIONS. THESE WERE THE ESSENTIAL MINIMUM GOALS WITHOUT WHICH THE DEPARTMENT OF JUSTICE HAD CONCLUDED IT COULD NOT SUCCESSFULLY PURSUE ITS EFFORTS, AND WITHOUT WHICH THERE COULD HAVE BEEN NO HOPE OF HAVING CREDIBLE INFORMATION ON WHICH TO EXONERATE THE INNOCENT AS WELL AS DETERMINE THE GUILTY.

WE HAVE BEEN ASSURED BY THE JUSTICE DEPARTMENT THAT NOTHING IN THE ARRANGEMENTS WHICH HAVE BEEN NEGOTIATED WOULD GIVE IMMUNITY TO TONGSUN PARK FROM PROSECUTION FOR PERJURY IN THIS COUNTRY IF HE SHOULD GIVE FALSE TESTIMONY. THE NEGOTIATING RECORD IS ABUNDANTLY CLEAR ON THIS POINT. THE DEPARTMENT OF JUSTICE WOULD BE ABLE TO DISCUSS WITH YOU THE PRECISE TERMS OF THE MEMORANDUM OF UNDERSTANDING WHICH HAS BEEN SIGNED WITH TONGSUN PARK IN SEOUL JANUARY 11 SPELLING OUT THESE COMMITMENTS.

I HOPE THAT THE FOREGOING WILL BE HELPFUL AND RESPONSIVE
TO THE COMMITTEE'S NEEDS. UNQUOTE
CHRISTOPHER

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